

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

William Pipes, et. al.,)	
)	
Plaintiffs,)	ORDER
)	
vs.)	
)	
State of North Dakota, et. al.,)	Case No. 1:07-cv-067
)	
Defendants.)	

On September 20, 2007, Plaintiff William Pipes (“Pipes”) lodged a pro se complaint pursuant to 42 U.S.C. § 1983. That same day he sent to a letter to the court requesting, inter alia, that he be “placed on parole.” On October 30, 2007, he filed what the court has construed as a motion to vacate his state court sentences. This relief is not available in § 1983 action, however. The United States Supreme Court has made clear that a § 1983 action cannot be used to challenge, directly or indirectly, the length or validity of a prisoner's confinement and that this can only be done using habeas corpus remedies. E.g., Wilkinson v. Dotson, 544 U.S. 74, 78-82 (2005). His motion to vacate (Docket No. 11) is therefore **DENIED** without prejudice. His request to be “placed on parole” is also **DENIED**.

IT IS SO ORDERED.

Dated this 29th day of November, 2007.

/s/ Charles S. Miller, Jr.

Charles S. Miller, Jr.
United States Magistrate Judge